

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2004-016149-001 DT

07/21/2008

HON. GARY E. DONAHOE

CLERK OF THE COURT
S. Yoder
Deputy

STATE OF ARIZONA

APRIL ARLENE SPONSEL

v.

ROBERT PAUL HILL (001)

JAIME C HINDMARCH

APO-PLEAS-CCC
VICTIM SERVICES DIV-CA-CCC

TRIAL ON PRIORS / AGGRAVATION HEARING
SENTENCING CONTINUED

State's exhibits 1 through 4 are marked for identification prior to the hearing.

8:45 a.m. This is the time set for Trial on Priors, Aggravation Hearing and Sentencing.

State's Attorney:	April A. Sponsel
Defendant's Attorney:	Jaime C. Hindmarch
Defendant:	Present
Court Reporter:	Lynn Cronin

Gail Natale, Defendant's federal public defender, is also present.

TRIAL ON PRIORS

State's case:

Eliza Smaltz is sworn and testifies.

The witness makes an in-court identification of the Defendant.

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State's exhibit 1 is received in evidence.

State's exhibit 3 is received in evidence.

State's exhibit 4 is received in evidence.

State's exhibit 2 is received in evidence.

The State rests. Both sides rest.

Argument is presented.

Based on the evidence presented, the Court finds beyond a reasonable doubt that Defendant has two historical prior felony convictions as follows:

On August 9, 1987, Defendant committed the offense of Attempted Armed Robbery, a class 3 non-dangerous felony, and was convicted on May 24, 1988 in Maricopa County Superior Court Cause Number CR88-00818.

On June 9, 1992, Defendant committed the offense of Armed Robbery, a class 2 dangerous felony, and was convicted on January 11, 1993 in Maricopa County Superior Court Cause Number CR92-06102.

9:03 a.m. Court stands at recess.

9:07 a.m. Court reconvenes with the Defendant and respective counsel present.

Court Reporter Lynn Cronin is present.

HEARING ON AGGRAVATING FACTORS

Argument is heard on the State's allegation of aggravating factors.

The Court finds beyond a reasonable doubt the aggravating factor that the offenses caused emotional harm to Connie Vale, the victim under Counts 7 and 9.

The Court further finds beyond a reasonable doubt the aggravating factor that Connie Vale, the victim under Counts 7, 9 and 10, was over 65 years of age at the time of the offenses.

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The Court does not find the allegation that the offenses caused emotional harm to Louis Hendershot, the victim under Counts 1 and 2.

Discussion is held regarding sentencing.

IT IS HEREBY ORDERED re-setting Sentencing to **September 19, 2008 at 8:30 a.m.** in this division.

IT IS FURTHER ORDERED that Defendant's Sentencing Memorandum is due by August 25, 2008.

IT IS FURTHER ORDERED that the State's Sentencing Memorandum is due by September 2, 2008.

IT IS FURTHER ORDERED that Defendant's Reply is due by September 16, 2008.

IT IS FURTHER ORDERED affirming prior custody orders.

9:20 a.m. Matter concludes.

FILED: Exhibit Worksheet.